

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, February 16, 2005**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**BRIEFING SESSION**

**Attendance:**

**Council Members:**

Chairman Russ Wall  
Vice-Chairman Morris Pratt  
Council Member Les Matsumura  
Council Member Jerry Rechtenbach

**City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Mark McGrath, Community Development Director  
Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Larry Marx, Chief of Police

**Excused:** Mayor Janice Auger, Council Member Bud Catlin

**BRIEFING SESSION**

Chairman Russ Wall conducted the Briefing Session, which convened at 6:00 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

Council Member Morris Pratt **MOVED** to adjourn the Briefing Session and convene the Regular City Council Meeting at 6:24 p.m. Council Member Les Matsumura **SECONDED** the motion. Chairman Russ Wall called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused Pratt-yes, Wall-yes and Matsumura-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

## **REGULAR MEETING**

### **Attendance:**

#### **Council Members:**

Chairman Russ Wall  
Vice-Chairman Morris Pratt  
Council Member Les Matsumura  
Council Member Jerry Rechtenbach

#### **City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Mark McGrath, Community Development Director  
Gerry Orr, City Finance Director  
Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Larry Marx, Chief of Police  
Sheri Argyle, Court Administrator

**Excused:** Mayor Janice Auger, Council Member Bud Catlin

**Citizens:** Reed Kener, Jack Lucas, Keith Tripp, Chet Nichols, Ron Travis, Cecila Pectol, Lynn Samsel, June E. Pons, Ken Donarski, Kathy Ricci, Lucille Fukawa, Sandy Unversaw, Ken Fukawa, Tara Rollins, Merridith Ferne, David Woodman, Vell Runolfson, Ryan Stringham, Konner Stringham, Steven Kaar, Michael Rundlfson, Neal Buchanan, Kristien McDonald, Harlan Christmas, Celeste Eggert, Michelle Flynn, Mark Davidson, Kristie Overson, Joshua Pedersen, Aimee Newton, Dama Barbour, John E. Gidney, Jerry Milne

## **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**

18:31:41 Chairman Russ Wall called the meeting to order at 6:30 p.m. and welcomed those in attendance. He recognized members of Boy Scout Troop 872, who were in attendance. He then reviewed the Citizen Comment Procedures for the audience.

### **1.1 Pledge of Allegiance – Opening Ceremonies – *Council Member Jerry Rechtenbach***

18:35:27 Council Member Jerry Rechtenbach introduced Young Women from the Bennion LDS Ward in Taylorsville. He described some of the service projects that they have rendered in behalf of others.

A member of the Young Women's Group from the Bennion LDS Ward directed the Pledge of Allegiance.

**1.2 Reverence – (Opening Ceremonies for March 2, 2005 to be arranged by Youth Council)**

18:37:52 A Member of the Young Women's Group from the Bennion LDS Ward offered the Reverence.

**1.3 Citizen Comments**

18:38:27 Chairman Russ Wall called for any citizen comments and there were none.

**1.4 Mayor's Report**

18:38:47 Chairman Russ Wall excused Council Member Bud Catlin and Mayor Janice Auger. He then reported on the following items, as requested by Mayor Auger:

1. The Baseball Steering Committee met February 9, 2005 and narrowed the proposers to a short list of two, consisting of architectural firms MGB+A and ASWN+. The Committee will reconvene on February 23, 2005 and hear oral presentations, after which they will make a final decision.

2. The VECC "Summit" was held Tuesday, February 15, 2005 and was attended by Mayor Auger, Council Member Catlin, Council Member Rechtenbach, and Council Member Pratt. Council Member Jerry Rechtenbach gave a brief summary of the meeting. 18:39:18

3. The first committee meeting to discuss a Unified Police Authority was held Thursday, February 10, 2005, at the Holladay City Offices. City Attorney John Brems attended as representation for Taylorsville. An outline of that meeting was given to the Council Members. Mr. Wall described the ideas behind a Unified Police Authority and relayed that Holladay is particularly interested in making the process very aggressive, with a target date of one year to have the UPA in place. City Attorney John Brems listed representatives from several different entities who were in attendance at the meeting. 18:41:36

**2. REPORTS**

**2.1 Building Inspection – *Patrick Tomasino***

18:43:32 Patrick Tomasino, of Sunrise Engineering, gave a quarterly report from October through December 2004 on recent Plan Examination and Building Inspection Services within Taylorsville.

## **2.2 Sunrise Engineering – Mark Davidson**

18:45:49 Mark Davidson, of Sunrise Engineering, presented a quarterly report from October through December 2004 on Engineering and Site Inspections Services within Taylorsville.

## **3. APPOINTMENTS**

## **4. CONSENT AGENDA**

### **4.1 Minutes – RCCM 02-02-05 and CCWS 02-09-05**

### **4.2 Resolution No. 05-09 – Supporting Federal Community Block Grants and Urging the Utah Congressional Delegation to Support Continued CDBG Funding in Future Federal Budget Allocations**

18:47:21 Council Member Les Matsumura **MOVED** to adopt the Consent Agenda. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**

18:47:48 For the audience's benefit, Chairman Wall read Resolution No. 05-09 - Supporting Federal Community Block Grants and Urging the Utah Congressional Delegation to Support Continued CDBG Funding in Future Federal Budget Allocations.

## **5. PLANNING MATTERS**

### **5.1 Resolution No. 05-06 – Resolving a Boundary Line Dispute Between the City of Taylorsville and David and Tracy Jones with Respect to an Encroachment Located at Approximately 1464 West 4800 South – John Inch Morgan**

18:49:52 City Administrator John Inch Morgan presented Resolution No. 05-06 and explained that there is an apparent encroachment on property owned by the City at approximately 1464 West 4800 South and the apparent encroachment was discovered as part of the survey of the City's property. He further explained that David and Tracy Jones claim that the City's survey is incorrect and that the property described in the title matches the physical property. Both parties inspected the property and were satisfied with the boundary lines. Mr. Morgan then recommended that the City quitclaim the encroachment to resolve any disputes.

18:50:46 City Attorney John Brems explained that the wrong owner may be listed in the resolution and in the Quit Claim Deed and asked that the name be deleted "the current owner" be used in its place.

18:51:13 Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-06 Resolving a Boundary Line Dispute between the City of Taylorsville and David and Tracy Jones instructing the City Attorney to make the appropriate change to the Quit Claim as needed. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**

## **5.2 Discussion Regarding City Boundary Issues – *Mark McGrath/Mayor Auger***

18:52:22 Council Member Jerry Rechtenbach led discussion in regards to boundary issues along 1300 West north of Winchester. He reported on a meeting that he and other City representatives have held on different occasions with Murray City representatives, in hopes of resolving sewer service issues. As a result of meetings with Murray City, Mr. Rechtenbach proposed the following options:

- Work with Taylorsville Bennion Improvement District to build a line and connect into Murray City under an Interlocal Agreement.
- Work directly with Taylorsville Bennion Improvement District to build the same line but require that Taylorsville Bennion Improvement District build a regional lift station to pump it up to 1300 West into their existing sewer system. Mr. Rechtenbach explained that the net result of this option would be if anyone wanted to develop along that area, they would have an associated impact fee for building a capital infrastructure and it would increase development costs. Under this option, individual developers would be forced to develop, own and maintain their own individual sewer systems, which would pump individually up in to Taylorsville Bennion Improvement District's line.
- Enter into a boundary adjustment with Murray City and adjust a portion of Taylorsville into Murray.

18:59:51 Council Member Matsumura talked about discussion with the Murray City Attorney in regards to "Taxation without Representation."

19:01:16 Council Member Morris Pratt expressed concerns in regards to adjusting the City's boundaries and wondered about the impact for police and fire services.

19:10:11 Council Member Rechtenbach recommended that City Attorney John Brems draft a communication to Murray City which would outline the City's proposal and also site situations where similar interlocal agreements are in place and functioning successfully. He also recommended that the next step be to work directly with individual Murray City Council Members in regard to this proposal.

19:11:32 Further discussion was held and Council Chairman Russ Wall said that the City's main concern should be what is in the best interest of the property owners.

19:17:42 Council Member Morris Pratt requested that City Attorney John Brems draft a resolution for the Murray City Council to consider along with the aforementioned letter.

19:19:04 Community Development Director Mark McGrath spoke of other boundary issues within the City of Taylorsville. He presented maps and presented in detail the following boundary issues:

- 1300 West North of Winchester (Murray)
- 1300 West South of Winchester (Murray/West Jordan)
- East Side of Redwood Road at Approximately 6600 South (West Jordan)
- Redwood Memorial Cemetery (West Jordan)
- Misty Hills (West Jordan)

19:39:17 Further discussion was held and the Council Members recommended that the City should proceed with boundary adjustments but ensure that Taylorsville City comes out ahead economically. Also, the Council requested that any recommended boundary adjustments come before the City Council prior to being presented to the adjoining cities.

## **6. FINANCIAL MATTERS**

### **19:43:15 6.1 Public Hearing – 6:30 p.m. – To Receive Public Comment on the Community Development Block Grant (CDBG) and HOME Funds – Mayor Auger/Kathy Ricci**

19:43:22 Kathy Ricci said that the following applicants have requested funding through the CDBG and HOME programs for FY 2004-2005:

City of Taylorsville, CDBG Administration	\$ 40,000
Assist	40,000
SHIPP	38,445
Taylorsville Senior Citizen Van Driver	22,000
YMCA	10,000
Travelers Aid – Homeless Shelter	6,000
Travelers Aid – Emergency Winter Housing	5,000
Community Health Center	10,000
South Valley Sanctuary	5,000
Rape Crisis Center	3,808
Tri-Park, Inc.	2,000

211 Info Bank	9,409
Utah Food Bank	10,000
Planning – Redevelopment Plan	46,000
Jones Mini-Park	15,000
Senior Center Garage & Storage	111,665
Bi-Fold Doors – Senior Center	19,580
Community Garden Greenhouse & Shed	26,000
Contingency	25,409
First Time Homebuyer Assistance	<u>124,578</u>
Total Requested	\$569,894

19:44:32 Chairman Wall declared the Public Hearing open.

Public comments were given from the following applicants explaining their program and funding requests:

19:44:39 Josh Pederson, Director of 211 Project

19:50:08 Kristin McDonald, Utah Food Bank

19:52:23 Celeste Eggert, The Road Home

19:56:10 Rodney K Anderson, YMCA Program Director

19:59:50 Cindy Christensen, South Valley Sanctuary

20:03:59 Lynn Sampson, Community Services Council, Life Care

20:08:32 Ken Danarski, Taylorsville Senior Center

20:11:38 Dave Woodman, Assist

20:13:12 Ron Travis, Tri-Park Services

20:15:06 Debbie Obrien, South Valley Shelter Victim Advocate

There being no further comments, Chairman Wall declared the Public Hearing closed.

**6.2 Resolution No. 05-10 – Authorizing the Execution of an Interlocal Cooperation Agreement between Salt Lake County and Sandy City, West Jordan City, West Valley City and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2006-through 2010 – Mayor Auger/Kathy Ricci**

**20:19:18** Kathy Ricci explained that Salt Lake County and the aforementioned cities have determined that it would be mutually beneficial and in the public interest to enter into an Interlocal Cooperation Agreement to form a consortium in order to receive HOME funds to participate in the HOME Program. She explained that an Interlocal Cooperation Agreement (Agreement) covering Federal Fiscal Years 2006 through 2010 has been prepared for approval and execution by and between the consortium and the City, which the HOME Program will be undertaken and administered for those fiscal years.

Council Member Les Matsumura **MOVED** to adopt Resolution No. 05-10. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**

**6.3 Public Hearing – 6: 30 p.m. – to Receive Public Comment on the Mid-Year Budget Adjustment for the 2004-2005 Fiscal Year**

**20:21:09** City Administrator John Inch Morgan explained the proposed Mid-Year Budget Adjustments for the 2004-2005 Fiscal Year.

**20:22:53** Chairman Russ Wall declared the Public Hearing open.

There being no comments, Chairman Russ Wall declared the Public Hearing closed.

**20:23:18** Discussion was held and clarification was requested in regards to the proposed amended budget.

**6.3.1 Ordinance No. 05-09 – Amending the Budget for the 2004-2005 Fiscal Year – John Inch Morgan**

**20:29:13** Council Member Les Matsumura **MOVED** to adopt Ordinance No. 05-09 – Amending the Budget for the 2004-2005 Fiscal Year. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**



## 7. OTHER MATTERS

### **7.1 Ordinance No. 05-08 – Adopting the Current Edition of the International Fire Code – John Brems**

20:30:18 City Attorney John Brems presented Ordinance No. 05-08 and explained that the Utah Fire Prevention Board has adopted the current edition of the International Fire Code as the official Fire Code of the State of Utah; and each political subdivision must comply with the State Fire Code. He further explained that compliance requires an amendment of the City's ordinances to reflect the changes in State law.

20:30:41 Discussion was held, after which 20:31:13 Council Member Jerry Rechtenbach **MOVED** to approve Ordinance No. 05-08 – Adopting the Current Edition of the International Fire Code. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**

### **7.2 Resolution No. 05-07 – Approving an Interlocal Cooperative Agreement with Salt Lake County with Respect to Defense and Indemnification – John Brems**

20:32:09 City Attorney John Brems presented Resolution No. 05-07 and explained that on or about October 25, 2004, an Action was filed against, among other defendants, the Salt Lake County Sheriff and Salt Lake County. He said that the Action arises in part as an enforcement of Taylorsville City Ordinances. Mr. Brems further explained that the County has tendered the defense and request for indemnification with respect to the Action and the parties disagree as to the City's obligation to defend and indemnify. He said that the City is willing to defend the Action and indemnify with respect to part of the Action.

Mr. Brems then presented an Interlocal Cooperative Agreement with Salt Lake County with respect to Defense and Indemnification.

20:35:06 Discussion was held, after which Council Member Les Matsumura **MOVED** to adopt Resolution No. 05-07 – Approving an Interlocal Cooperative Agreement with Salt Lake County with Respect to Defense and Indemnification. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. 20:37:17 Council Members Pratt and Rechtenbach asked questions regarding insurance coverage in this regard. Mr. Wall then called for a roll call vote. The vote was as follows: Rechtenbach-no, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed 3 to 1.**

### **7.3 Resolution No. 05-08 – Approving an Interlocal Cooperative Agreement with**

### **Salt Lake County for Crossing Guard Services – *Chief Marx***

20:38:37 Police Chief Larry Marx presented Resolution No. 05-08 and explained that an Interlocal Cooperative Agreement for Crossing Guard Services has been prepared for approval that sets forth the purpose, the extent of participation of the parties, and the rights, duties and responsibilities of the parties.

20:39:46 Discussion was held, after which Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-08 – Approving an Interlocal Cooperative Agreement with Salt Lake County for Crossing Guard Services for the period beginning April 1, 2005 through June 30, 2005. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members present voted and the motion passed unanimously.**

### **7.4 Discussion of Change in the Form of Government – *Council Member Pratt***

20:40:49 Council Member Morris Pratt read a prepared statement and concluded by saying that “Am I convinced that the council manager is a good form of government? Yes. But I am also saying that either form of government can work if people have the desire to work together. And under either form, we must!”

Council Member Pratt then presented information in regards to the City’s Council-Mayor form of Government as well as the Council-Manager form.

20:43:40 Brief discussion was held and Mr. Pratt concluded by saying that it is up to the citizens to carry this issue forward.

20:45:57 Council Member Les Matsumura said that he has reviewed the information provided regarding a change in the form of government. He said that it is his opinion that the Council and Administrations needs to work more diligent in listening and then speaking and respecting each other’s views and opinions relating to issues within the City.

20:48:44 Chairman Wall asked a member of the citizens group in attendance to address the Council.

20:49:05 Aimee Newton reported that a group of citizens have been meeting together to consider a change in the form of government for Taylorsville. She said that they have met with officials from other cities and they are willing to share information they have received.

Ms. Newton was urged to contact a member of the Council for this issue to be put on an agenda for further discussion.

### **7.5 Discussion of a Change in Policy for Legal Opinions – *Council Chair Wall***

20:54:15 Council Chairman Russ Wall led discussion in regards to a change in policy for legal opinions. He referred to an email circulated by the City Council in this regard.

20:55:35 Discussion ensued and the Council Members agreed to have City Attorney John Brems create a policy for the Council's consideration regarding Legal Opinions. The policy is to include that an informal consensus of three City Council members be obtained prior to any action that is taken.

### **8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

20:58:43 Council Member Morris Pratt recommended that discussion of City contracts be placed on the March Work Session agenda.

21:00:27 Russ Wall attended a SLVCommunity Center Board of Trustees Meeting and reported that they have decided to hire a consultant to look at computer software. He also reported that they are still not collecting the 911 monies on cell phones.

### **9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

21:01:43

9.1 Special City Council Meeting – Saturday, February 19, 2005 – 7:00 a.m.

9.2 City Council Briefing Session – Wednesday, March 2, 2005 – 6:00 p.m.

9.3 City Council Meeting – Wednesday, March 2, 2005 – 6:30 p.m.

9.4 City Council Work Session – Wednesday, March 9, 2005 – 6:00 p.m.

9.5 City Council Briefing Session – Wednesday, March 16, 2005 – 6:00 p.m.

9.6 City Council Meeting – Wednesday, March 16, 2005 – 6:30 p.m.

### **10. CALENDAR OF UPCOMING EVENTS**

21:02:36

10.1 Taylorsville City Night Bruin Basketball at SLCC - Saturday, February 19, 2005  
Redwood Campus – Women's Game: 5:30 p.m. Men's game: 7:30 p.m.

10.2 Monday, February 21, 2005 - Presidents' Day Holiday – City Offices closed.

10.3 City Awards Banquet – Thursday, February 24, 2005 – 7:00 p.m.

10.4 Saturday, February 26, 2005 –Orchestra Concert – 7:30 p.m. – Taylorsville High School

## **11. ADJOURNMENT**

21:03:44 Council Member Les Matsumura **MOVED** to adjourn the City Council Meeting. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:03 p.m.

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Virginia Loader, City Recorder

Minutes approved: CC 03-16-05

*Minutes Prepared by: Virginia Loader*